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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 IN RE: INCRETIN MIMETICS) MDL Case No.13md2452 AJB (MDD)
12 PRODUCTS LIABILITY) As to all related and member cases
13 LITIGATION)
14 ORDER FOLLOWING DECEMBER
11, 2014 STATUS CONFERENCE

15 On December 11, 2014 the Court held a telephonic Status Conference to address
16 issues discussed at the October 23, 2014 Case Management Conference and thereafter, as
17 set out by the Parties in their Joint Agenda. (Doc. No. 829.) Judge Highberger of the
18 Los Angeles County Superior Court participated, as did some sixty-six attorneys for the
19 parties. Counsels' appearances are set forth in Court's Exhibit 1 to the hearing. (Doc.
20 No. 843.)

21 A thorough discussion of all issues raised proceeded on the record. The following
22 is a summary of the proceedings and their respective status:

23 I. SAS FILE PRODUCTION:

- 24 1. Counsel for both sides represented to the Court that SAS files have
25 been produced as contemplated in prior scheduling orders.

26 II. COMMON BENEFIT FUND ORDER:

- 27 1. The current disputes over two provisions in the proposed common
28 benefit fund order were discussed and are under submission.

- 1 2. Counsel for Plaintiffs are directed to submit a redlined version of the
2 proposed common benefit fund order to chambers for consideration
3 and further revision. Upon final review, the Court will issue a written
4 order.

5 III. PENDING MOTIONS TO REMAND

- 6 1. Plaintiffs' motions to remand are currently pending in the following
7 cases: *Briggs*, Case No. 14cv1677; *Kelly*, Case No. 14cv2066; *John-*
8 *son*, Case No. 14cv2070; *Martinez*, Case No. 14cv2071; *Kreis*, Case
9 No. 14cv2072.
- 10 2. The Court inquired as to the parties' explanation of the practical
11 implications of remand in light of the Ninth Circuit's decision in
12 *Corber v. Xanodyne Pharmaceutical, Inc.* The motions were then
13 taken under submission with the Court to issue a written order upon
14 decision.

15 IV. THE NEXT STATUS CONFERENCE:


16 The Court will hold another telephonic Status Conference on
17 **February 2, 2015 at 3:00 p.m.** Any call-in instructions, topics for
18 discussion, and a list of the individuals who will be appearing tele-
19 phonically must be submitted to the Court via e-file no later than
20 **January 29, 2015 at 12:00 p.m.**

21

22 IT IS SO ORDERED.

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24 DATED: December 15, 2014

25 
26 Hon. Anthony J. Battaglia
27 U.S. District Judge
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